

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Thomas M. Davis
Debtor(s)

Bankruptcy Case No.: 16-21237-GLT
Related to Docket No. 52
Chapter: 13
Docket No.: 53 – 52
Concil. Conf.: January 24, 2019 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **November 2, 2018**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **November 17, 2018**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **January 24, 2019 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: September 19, 2018

cm: All Creditors and Parties In Interest



Gregory L. Taddonio, Judge
United States Bankruptcy Court

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Thomas M. Davis
 Debtor

Case No. 16-21237-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 213

Page 1 of 2
 Total Noticed: 16

Date Rcvd: Sep 19, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 21, 2018.

db
 14216829 +Thomas M. Davis, 2404 Woodstock Avenue, Pittsburgh, PA 15218-2629
 14206580 ACS State and Local Solu, 440 Blackburn Lane, Suite 200, Burtonsville, MD 20866
 +Borough of Swissvale, c/o Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor,
 Pittsburgh, PA 15219-6101
 14216834 NCO Financial/55, P.O. Box 13570, Philadelphia, PA 19101
 14216838 +PM Acceptance CNAC, 1561 W. Liberty Ave., Pittsburgh, PA 15226-1103
 14206582 +PNC Bank, 3232 Newmark Drive, Miamisburg, OH 45342-5421
 14206583 +PNC Bank, c/o Louis P. Vittti, Esquire, 215 Fourth Avenue, Pittsburgh, PA 15222-1707
 14216836 Palasades Acquisitions & Vativ Recovery, PO Box 40728, Houston, TX 77240-0728
 14216837 #+Peoples Credit, 4950 Northeast 148th Ave., Portland, OR 97230-3450
 14216843 Verizon Wireless, Midland Funding and American Infosource, PO Box 4457,
 Houston, TX 77210-4457

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14216830 +E-mail/Text: EBNProcessing@afni.com Sep 20 2018 02:27:35 AFNI Inc., PO Box 3097,
 Bloomington, IL 61702-3097
 14216832 +E-mail/Text: bankruptcy@jdbyrider.com Sep 20 2018 02:28:22 CNAC,
 12802 Hamilton Crossing Boulevard, Carmel, IN 46032-5424
 14265625 +E-mail/Text: bankruptcy@cavps.com Sep 20 2018 02:27:45 Cavalry Investments, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 14206581 +E-mail/Text: bankruptcy@cavps.com Sep 20 2018 02:27:45 Conseco Inc.,
 c/o Cavalry Portfolio Services, 500 Summit Lake Drive, Suite 400,
 Valhalla, NY 10595-2321
 14216835 +E-mail/Text: JCAB_BNC_Notices@jcap.com Sep 20 2018 02:27:42 Nordstroms,
 c/o Jefferson Capital Systems, P.O. Box 7999, Saint Cloud, MN 56302-7999
 14206584 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 20 2018 02:39:52 Verizon,
 c/o American Infosource, P.O. Box 248838, Oklahoma City, OK 73124-8838

TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
 cr
 14230002* +Borough of Swissvale, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor,
 Pittsburgh, PA 15219-6101
 14216831* +Borough of Swissvale, c/o Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor,
 Pittsburgh, PA 15219-6101
 14216833* +Conseco Inc., c/o Cavalry Portfolio Services, 500 Summit Lake Drive, Suite 400,
 Valhalla, NY 10595-2321
 14216840* +PNC Bank, c/o Louis P. Vittti, Esquire, 215 Fourth Avenue, Pittsburgh, PA 15222-1707
 14216839* +PNC Bank, 3232 Newmark Drive, Miamisburg, OH 45342-5421
 14216842* Verizon, c/o American Infosource, P.O. Box 248838, Oklahoma City, OK 73124-8838
 14216841 ##United Revenue Collection Service, PO Box 1892, Bensalem, PA 19020-6892

TOTALS: 2, * 6, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
 While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 21, 2018

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dbas
Form ID: 213

Page 2 of 2
Total Noticed: 16

Date Rcvd: Sep 19, 2018

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 19, 2018 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC BANK N.A. bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Borough of Swissvale jhunt@grblaw.com,
cnoroski@grblaw.com
Joshua I. Goldman on behalf of Creditor PNC BANK N.A. bkgroup@kmlawgroup.com
Kenneth Steidl on behalf of Debtor Thomas M. Davis julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@st
eidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinber
g.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6